



U.S. Department of Justice

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United States Attorney  
District of Massachusetts

U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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Federal Building & Courthouse  
Main Street, Room 310  
Springfield, Massachusetts 01103

May 5, 2006

C. Jeffrey Kinder, Esq.  
64 Gothic Street  
Northampton, MA 01060

Re: United States v. Jose Rodriguez  
Criminal No. 05-30034-MAP

Dear Attorney Kinder:

In accordance with the government's continuing discovery obligations pursuant to Local Rule 116.1(C) and 116.2(B) and Fed. R. Crim. P. 16(a)(1), I am providing you with the following information.

In it's automatic discovery letter the government stated "[o]n June 2, 2005, before his grand jury testimony and during his grand jury testimony, CW Julian Rios was shown a photographic lineup which consisted of photographs of 28 males. Rios identified the defendant's photograph as the person from whom he purchased crack on January 19, and 20, 2005." Automatic Discovery Letter at 3. The undersigned recently was told by FBI SA Mark Karangekis that on June 1, 2005, SA Karangekis showed the same 28 photographs to the CW and the CW identified the defendant's photograph as the person from whom he purchased crack on the relevant dates. Further, on the same date the CW misidentified photographs of Andres Cotto and Tito Rodriguez as individuals from whom he had previously purchased crack.

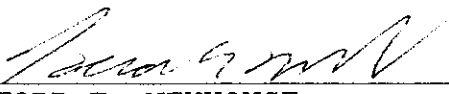
Please feel free to call me at (413) 785-0235 if you

have any questions about the above information.

Very truly yours,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
TODD E. NEWHOUSE  
Assistant U.S. Attorney

Enclosure

cc: Bethany Healy,  
Courtroom Clerk  
Hon. Kenneth P. Neiman  
United States Magistrate Judge w/o enclosure